

**PUBLIC SAFETY  
AND  
LEGAL ADMINISTRATION COMMITTEE  
MINUTES**

**SEPTEMBER 1, 2009**

The regularly scheduled meeting of the Public Safety and Legal Administration Committee was held on **Tuesday, September 1, 2009 at 3:47 p.m., in Committee Room #2**. The following members were present:

**The Honorable Cleta Winslow, Chair  
The Honorable C. T. Martin, Vice-Chair  
The Honorable Anne Fauver  
The Honorable Kwanza Hall  
The Honorable Joyce Sheperd  
The Honorable H. Lamar Willis**

Others present at the meeting were: Jerry Deloach, Diane Mitchell and Amber Robinson, Law Department; Deputy Chiefs Peter Andresen and Carlos Banda, Sergeant Edward Davis, Malachi Hull, Police Department; Interim Fire Chief J. Baker, Atlanta Fire and Rescue Department; media, public and council staff.

Chair Cleta Winslow called the meeting to order at 3:47 p.m. after declaring a quorum present. She then proceeded with the following order of business.

**A.    ADOPTION OF AGENDA – ADOPTED**

**B.    APPROVAL OF MINUTES – APPROVED**

**C.    DISCUSSION ITEM**

Pothole and Automobile Accident Claims, Joe Basista  
Department of Public Works

**CONSENT**

**D.    RESOLUTIONS**

**Claims with favorable recommendations:**

09-R-1429 ( 1)    Claim of **Juanita F. Greene**, for property damages alleged to have been sustained from a rehabilitation project from December 2002 through October 7, 2007 at 599 Rockwell Street, SW. **\$17,581.95**

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**RESOLUTIONS (CONT'D)**

**Claims with favorable recommendations:**

- 09-R-1430 ( 2)      Claim of **Tyrus D. Woods, through his attorney, Bruce A. Hagen, P. C., Attorney at Law**, for bodily injuries alleged to have been sustained due to an automobile accident on December 13, 2008 at 1959 Metropolitan Parkway, SW. **\$12,000.00**
- 09-R-1431 ( 3)      Claim of **39 West Wesley Holders, LLC, c/o Simon R. Foster**, for property damages alleged to have been sustained when a tree fell and damaged landscaping and a retaining wall on March 28, 2009 at 39 West Wesley Drive, NE. **\$5,281.20**
- 09-R-1432 ( 4)      Claim of **Collington Scott**, for damages alleged to have been sustained as a result of a vehicular accident on June 4, 2009 at Ponce de Leon Avenue and Peachtree Street. **\$4,325.59**
- 09-R-1433 ( 5)      Claim of **William F. Mabe, Attorney at Law**, for bodily injuries alleged to have been sustained from stepping into an in-ground garbage receptacle holder on January 22, 2009 at Peachtree Street and Wall Street. **\$3,007.00**
- 09-R-1434 ( 6)      Claim of **Atlanta Gas Light Company**, for damages alleged to have been sustained during the repair of a service lateral on April 28, 2009 at 218 Harper Road, SE. **\$2,883.21**
- 09-R-1435 ( 7)      Claim of **Carrie Brown-Willis**, for damages alleged to have been sustained as a result of striking a construction cut on March 27, 2009 at 1103 Custer Avenue, SE. **\$2,118.64**
- 09-R-1436 ( 8)      Claim of **State Farm Insurance Companies, as subrogee of Anthony Taylor**, for damages alleged to have been sustained as a result of an automobile accident at Ralph David Abernathy Boulevard and Cooper Street on February 24, 2009. **\$2,030.75**

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**RESOLUTIONS (CONT'D)**

**Claims with favorable recommendations:**

- 09-R-1437 ( 9)      Claim of **Cortney Thomas**, for vehicle damages alleged to have been sustained as a result of a raised manhole on February 21, 2009 at Moury Avenue and Thirkeld Avenue.  
**\$1,893.20**
- 09-R-1438 (10)      Claim of **Allstate Insurance Company, as subrogee of Trevor Hosch, through his attorney, Edward M. Harris**, for damages alleged to have been sustained as a result of a vehicular accident on July 23, 2008 at 321 10<sup>th</sup> Street.  
**\$1,525.75**
- 09-R-1439 (11)      Claim of **Todd Levin**, for damages alleged to have been sustained as a result of striking a pothole on March 3, 2009 at 469 10<sup>th</sup> Street.  
**\$1,500.00**
- 09-R-1440 (12)      Claim of **Nationwide Insurance Company, as subrogee of Kathryn Knoop and Travis Knoop**, for damages alleged to have been sustained as a result of a vehicular accident on February 16, 2009 at Cascade Avenue at West Haven Drive.  
**\$1,458.94**
- 09-R-1441 (13)      Claim of **State Farm Insurance Company, as subrogee of Moshe Williams**, for damages alleged to have been sustained as a result of a vehicular accident on May 10, 2009 at Interstate 20 at the Joseph E. Lowery Boulevard exit ramp.  
**\$1,431.70**
- 09-R-1442 (14)      Claim of **Veronica J. and Michael E. Gerald**, for damages alleged to have been sustained as a result of an automobile accident on May 14, 2009 at 351 Autumn Lane, SW.  
**\$1,413.90**
- 09-R-1443 (15)      Claim of **Lia Hamilton**, for damages alleged to have been sustained as a result of striking an unsecured manhole lid on May 26, 2009 at 1100 Harwell Road, NW.      **\$1,300.00**

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**RESOLUTIONS (CONT'D)**

**Claims with favorable recommendations:**

- 09-R-1444 (16) Claim of **C. Dawn Woods**, for damages alleged to have been sustained as a result of a vehicular accident on January 21, 2009 at Northside Drive and Bellemeade Avenue. **\$1,255.93**
- 09-R-1445 (17) Claim of **Louis Siegel**, for property damages alleged to have sustained when roof gutters were destroyed by a City garbage truck during a back yard pickup on May 12, 2009 at 1665 Wildwood Road, NE. **\$1,175.00**
- 09-R-1446 (18) Claim of **Robert Denson**, for vehicular damages alleged to have been sustained from driving over a pothole on May 6, 2009 at Howell Mill Road and West Wesley Drive. **\$1,118.00**
- 09-R-1447 (19) Claim of **Anthony Gilliam**, for damages alleged to have been sustained as a result of striking an unsecured manhole lid on March 10, 2009 at 1097 Harwell Road, NW. **\$1,000.00**
- 09-R-1448 (20) Claim of **Shashank Banerjea**, for damages alleged to have been sustained as a result of an automobile accident on April 22, 2009 at 30 Marietta Street. **\$991.82**
- 09-R-1449 (21) Claim of **Phillip E. Reece**, for damages alleged to have been sustained as a result of an automobile accident on June 11, 2009 at 3021 Middleton Road, NW. **\$978.08**
- 09-R-1450 (22) Claim of **Brian Robinson** for vehicular damages alleged to have been sustained from a pothole on April 10, 2009 at Martin Luther King, Jr. Drive, NW and Bolton Road, NW. **\$967.68**
- 09-R-1451 (23) Claim of **State Farm Insurance Companies, as subrogee of Raymond Tatum**, for damages alleged to have been sustained as a result of an automobile accident due to a water main break on November 21, 2008 at Sawtell Avenue and Richmond Avenue. **\$890.66**

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**RESOLUTIONS (CONT'D)**

**Claims with favorable recommendations:**

- 09-R-1452 (24) Claim of **Deairrone Martin**, for vehicular damages alleged to have been sustained from driving over a pothole in the road on March 24, 2009 at Cleveland Avenue and Jonesboro Road, SW. **\$769.52**

**Claims with unfavorable recommendations:**

- 09-R-1453 (25) Claim of **Nyyokokie Hendly**, for vehicular damages alleged to have been sustained from driving through a road-striping project on May 22, 2009 at 1840 Campbellton Road, SW.
- 09-R-1454 (26) Claim of **Willie E. Bowden, Jr.**, for vehicular damages alleged to have been sustained from driving over a pothole in the road on May 8, 2009 at Highway 166 and Barge Road (3571 Campbellton Road).
- 09-R-1455 (27) Claim of **Craig M. Davis**, for vehicular damages alleged to have been sustained from driving over a pothole in the road on June 14, 2009 on Highpoint Road, SW (Gwinnett County).
- 09-R-1456 (28) Claim of **Willie Brown, through his attorney, Michael Moran**, for damages alleged to have been sustained as a result of an automobile accident on September 4, 2007 at Metropolitan Parkway at Ralph D. Abernathy Boulevard.
- 09-R-1457 (29) Claim of **Ezekiel Kennedy**, for damages alleged to have been sustained as a result of an automobile accident on February 22, 2008 at 1382 Childress Drive.
- 09-R-1458 (30) Claim of **GEICO, as subrogee of Chadderick Evans**, for damages alleged to have been sustained as a result of an automobile accident on March 13, 2008 at Murray Hill Avenue.

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**RESOLUTIONS (CONT'D)**

**Claims with unfavorable recommendations:**

- 09-R-1459 (31) Claim of **Donna Holloway, through her attorney, David Lewis**, for damages alleged to have been sustained as a result of an uncovered electrical box on May 31, 2008 at 285 Andrew Young International Boulevard, near entrance C.
- 09-R-1460 (32) Claim of **Harrison Shullo**, for vehicular damages alleged to have been sustained from driving over a construction site on May 20, 2009 at 800 Marietta Street, NW.
- 09-R-1461 (33) Claim of **Kathleen L. Thomason-Jackson**, for damages alleged to have been sustained as a result of a water meter leak between June 2007 and April 2008 at 7910 Campbellton Fairburn Road.
- 09-R-1462 (34) Claim of **Marie Harris**, for damages alleged to have been sustained as a result of a fallen tree on her property on June 8, 2009 at 2251 Penelope Street, NW.
- 09-R-1463 (35) Claim of **Tara M. Harris**, for damages alleged to have been sustained during a construction project on April 13, 2009 at 1184 Spring Street and 14<sup>th</sup> Street.
- 09-R-1464 (36) Claim of **Earla Campbell**, for damages alleged to have been sustained as a result of striking metal plates on January 21, 2009 at 414 Ponce de Leon Avenue, NE.
- 09-R-1465 (37) Claim of **Jason Swichtenberg, through his attorney, Bruce A. Hagen, Esq.**, for damages alleged to have been sustained when excessive force was used during an unlawful arrest on February 24, 2009 at West Peachtree Street and Boone.
- 09-R-1466 (38) Claim of **Christopher M. Putman, through his attorney, James Lee Ford, Esq.**, for damages alleged to have been sustained when excessive force was used during an arrest on November 30, 2008 at 3180 Roswell Road, NE.

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**RESOLUTIONS (CONT'D)**

**Claims with unfavorable recommendations:**

- 09-R-1467 (39) Claim of **George Edelstein**, for damages alleged to have been sustained as a result of a trip and fall on December 19, 2008 at Sutton Middle School, 4360 Powers Ferry Road.
- 09-R-1468 (40) Claim of **Loumario Holmes, through his attorney, Hall Hirsh, LLC**, for damages alleged to have been sustained when the City failed to release personal property on December 24, 2008 at 415 Armour Drive.
- 09-R-1469 (41) Claim of **Tyron Clark** for vehicular damages alleged to have been sustained from driving over a construction site that was left in an unsafe manner on May 10, 2009 at 979 Dill Avenue, SW.
- 09-R-1470 (42) Claim of **Ruth Yardum, through her attorney, Megan Mathews Noble, Esq., Drew Eckl & Farnham, LLP**, for damages alleged to have been sustained when the City failed to maintain access to Spink Street for an unspecified time at 2100 Spink Street.
- 09-R-1471 (43) Claim of **Kimberly E. Bracey, through her attorney, Cary S. Wiggins, Esq., Cook, Youngelson & Wiggins**, for damages alleged to have been sustained from an unlawful arrest on December 20, 2008 at 3102 Lenox Road, NE.
- 09-R-1472 (44) Claim of **Quinetta Grant, through her attorney, Divida Gude, LLC**, for bodily injuries alleged to have been sustained from a slip-and-fall incident on May 8, 2009 at Hartsfield-Jackson International Airport, 8700 Spine Road.
- 09-R-1473 (45) Claim of **Babatunde Abdullah**, for vehicular damages alleged to have been sustained when a traffic light fell from the intersection and struck a vehicle on June 26, 2009 at 1008 Cascade Avenue, SW.
- 09-R-1474 (46) Claim of **Geofferey A. Baker**, for damages alleged to have been sustained when a tree fell from City property and destroyed a vehicle on July 13, 2009 at 407 5<sup>th</sup> Street, NE.

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**RESOLUTIONS (CONT'D)**

**Claims with unfavorable recommendations:**

- 09-R-1475 (47) Claim of **Heritage Square, Inc., through its attorney, Martin and Jones**, for damages alleged to have been sustained as a result of storm water runoff on March 27, 2009 at 1300 Mayson Turner Drive.
- 09-R-1476 (48) Claim of **Virginia Campello, through her attorney, J. Peter Cassidy, Esq.**, for bodily injuries alleged to have been sustained from a slip and fall incident on May 5, 2009 at Hartsfield-Jackson International Airport, 8700 Spine Road.
- 09-R-1477 (49) Claim of **Charles L. and Betty J. Smith**, for damages alleged to have been sustained as a result of an accident on May 21, 2009 at 938 Berne Street, SE.
- 09-R-1478 (50) Claim of **GEICO, as subrogee of Sharon Crenchaw**, for damages alleged to have been sustained as a result of an automobile accident on April 20, 2009 at 215 Pryor Street.
- 09-R-1479 (51) Claim of **Marjorie Cohen**, for damages alleged to have been sustained when a tree fell from City property on April 14, 2009 at 1347 Pasadena Avenue.
- 09-R-1480 (52) Claim of **Alex Agbaere, through his attorney, Orlando P. Ojeda, Jr. Esq., The Ojeda Law Firm, LLC**, for damages alleged to have been sustained from a false arrest and malicious arrest prosecution and negligence in 2006 or 2007 at Hartsfield-Jackson International Airport, 8700 Spine Road.
- 09-R-1481 (53) Claim of **Vicki Daniels, through her attorney, Musa Dan-Fodio**, for damages alleged to have been sustained while being transported during an arrest on September 13, 2007 at 400 Fairburn Road, SW.
- 09-R-1482 (54) Claim of **Linda Walker**, for damages alleged to have been sustained as a result of walking into an uncovered water meter on December 6, 2008 at 712 Pasley Avenue.



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**RESOLUTIONS (CONT'D)**

**Claims with unfavorable recommendations:**

- 09-R-1483 (55) Claim of **Ragner Reyes**, for damages alleged to have been sustained during a construction project on April 01, 2009 at 1184 Spring Street and 14<sup>th</sup> Street.
- 09-R-1484 (56) Claim of **James Bennett**, for damages alleged to have been sustained as a result of an automobile accident on October 8, 2008 at Pharr Road at Piedmont Road.
- 09-R-1485 (57) Claim of **Meleia Whorley**, for damages alleged to have been sustained as a result of striking a metal plate on December 23, 2008 at Rockbridge Road and Wynbrooke Parkway, Decatur.
- 09-R-1486 (58) Claim of **Monique Watson and Terence Jones**, for damages alleged to have been sustained as a result of striking an unsecured manhole lid on May 20, 2009 at 4511 Campbellton Road.
- 09-R-1487 (59) Claim of **Sandra Day**, for damages alleged to have been sustained as a result of an automobile accident on April 21, 2009 at Central Avenue, SW and Trinity Avenue, SW.
- 09-R-1488 (60) Claim of **Erik Bloom**, for damages alleged to have been sustained as a result of striking a construction cut on June 21, 2009 at 3060 Peachtree Road and Buckhead Avenue.
- 09-R-1489 (61) Claim of **GEICO, as subrogee of Shirley Arnold**, for damages alleged to have been sustained as a result of an automobile accident on October 14, 2008 at Barge Road, SW and Fairburn Road, SW.
- 09-R-1490 (62) Claim of **Hollis M. Wise**, for damages alleged to have been sustained as a result of a trip and fall incident due to ice on the sidewalk on November 19, 2008 at 1201 Peachtree Street, NE.

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**RESOLUTIONS (CONT'D)**

**Claims with unfavorable recommendations:**

- 09-R-1491 (63) Claim of **Rodney L. Copeland**, for vehicular damages alleged to have been sustained from driving over a pothole in the road on May 15, 2009 at Highway 166 and Barge Road (3571 Campbellton Road.)
- 09-R-1492 (64) Claim of **Jerry Cross, through his attorney, Eric Ripper**, for damages alleged to have been sustained as a result of an automobile accident on April 28, 2009 on Key Road.
- 09-R-1493 (65) Claim of **Mark Slones**, for vehicular damages alleged to have been sustained from driving over a pothole in the road on May 9, 2009 at Highway 166 and Barge Road (3571 Campbellton Road.)  
**(Councilmember Sheperd made a motion to approve Items D1-D65.)**

**FAVORABLE**

**E. ORDINANCES FOR FIRST READING**

- 09-O-1417 ( 1) An Ordinance by Public Safety and Legal Administration Committee authorizing the Mayor or her designee to add to anticipations and appropriations funds from Wachovia Bank on behalf of the Atlanta Fire and Rescue Department in the amount of \$438,843.00 for the purpose of supporting the Mobile Data Computers and Automatic Vehicle Locators; and for other purposes.

**TO BE REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE**

- 09-O-1499 ( 2) An Ordinance by Public Safety and Legal Administration Committee amending the 2009 (Intergovernmental Grant Fund Budget), by adding to anticipations and appropriations in the amount of \$172,020.00 on behalf of the Atlanta Fire and Rescue Department for the purpose of funding the Car Seat Fitting Station Program developed by the Atlanta Fire and Rescue Department; and for other purposes.

**TO BE REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE**

**REGULAR**

**F. ORDINANCE FOR SECOND READING**

- 09-O-1349 ( 1)     An Ordinance by Public Safety and Legal Administration Committee amending Chapter 98, Article IV of the City Code of Ordinances entitled "Department of Corrections" so as to set forth that vendors providing services which involve contact with detainees be required to obtain Tuberculosis Testing and Clearance for their employees prior to assignment at the Atlanta Department of Corrections; and for other purposes.  
**(Councilmember Martin made a motion to approve.)**

**FAVORABLE**

**G. RESOLUTION**

- 09-R-1418 ( 1)     A Resolution by Public Safety and Legal Administration Committee authorizing the Mayor or her designee to apply for and accept a \$172,020.00 grant from the Governor's Office of Highway Safety Fund for the purpose of funding the Car Seat Fitting Station Program developed by the Atlanta Fire and Rescue Department; and for other purposes.  
**(Councilmember Martin made a motion to approve.)**

**FAVORABLE**

**H. PAPERS HELD IN COMMITTEE**

- 06-R-0433 ( 1)     Claim of **Robert Colgin**, for damages alleged to have been sustained as a result of flooding on July 9, 2005 at 3340 Chatham Road, NW. **(Referred back by Council 2/20/06)**  
**(Held 2/28/06 for further investigation at the request of Councilmember Muller)**

**HELD**

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**PAPERS HELD IN COMMITTEE (CONT'D)**

- 06-O-1044 ( 2)      An Ordinance by Councilmembers H. Lamar Willis and C. T. Martin to amend the Code of Ordinances of the City of Atlanta, Georgia, Chapter 162, Article 2, Section 162-61(a) and Chapter 162, Article 2, Section 162-34(f) to allow short breaks in service for Taxicabs; to allow the Chief of Police or his designee, discretion to grant further extension for correction slip matters; to repeal conflicting ordinances; and for other purposes. **(Held 5/9/06 at the request of Councilmember Martin)**

**HELD**

- 07-O-1525 ( 3)      An Ordinance by Councilmember Joyce Sheperd to amend Section 122-172 under Chapter 122, Article V, Division 2, of the Code of Ordinances, so as to provide for a review by the affected Neighborhood Planning Unit(s) whenever an application for a license to operate a Secondary Metal Recycler is submitted; and for other purposes. **(Held 7/31/07 at the request of the author for further review. 9/25/07 a motion was approved to forward to the NPU's for review)**

**HELD**

- 07-O-1795 ( 4)      An Ordinance by Councilmember H. Lamar Willis to establish Chapter 21 of the Code of Ordinances of the City of Atlanta entitled "Transportation of Hazardous Materials"; to create a new Article I to be entitled "Terrorism Prevention in Hazardous Materials Transportation Act of 2007," to create a new Division 1 to be entitled "Terrorism Prevention in Hazardous Materials Transportation Act of 2007"; so as to prohibit large shipments of certain extremely hazardous materials near the City of Atlanta in an effort to reduce the risk of attacks by terrorists; to allow for the issuance of permits authorizing such shipments in special cases; to require the Mayor to issue regulations to implement the provisions of this act; and for other purposes. **(Held 8/28/07 for further review.)**

**HELD**

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**PAPERS HELD IN COMMITTEE (CONT'D)**

- 07-O-1879 ( 5)      An Ordinance by Public Safety and Legal Administration Committee to revise the City of Atlanta Code of Ordinances pertaining to secondary metal recyclers by amending the following Sections of Chapter 122, Article V, Divisions I and II; Section 122-151 (Definitions); Section 122-152 (Records Required); and Section 122-157 (Unlawful Acts); Section 122-171 (Required Application); to add the following new Sections to Chapter 122, Article V, Divisions I and II of the City of Atlanta Code of Ordinances: Section 122-158 (Daily Written Report to Police); Section 122-159 (Offenses; Defenses, Penalty); Section 122-160 (Possessor of Secondary Metals); Section 122-161 (License to Possess Secondary Metals); Section 122-162 (Revocation of License to Possess Secondary Metals); and Section 122-170 (Processing Application; Issuance of License, Possessor of Secondary Metals); to waive conflicting ordinances; and for other purposes. **(Public Hearing held on 10/30/07) (Held 10/30/07 for further review)**

**HELD**

- 07-R-2294 ( 6)      A Resolution by Public Safety and Legal Administration Committee authorizing the Mayor to approve or reject the decision of the evaluator presiding in the early neutral evaluation process, an alternative dispute resolution process, in the matter of Veolia Water North America Operating Services, LLC v. City of Atlanta, in the U.S. District Court, Northern District of Georgia, Civil Action No. 06-CV-1457-TWT; and for other purposes.  
**(Councilmember Hall made a motion to file.)**

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**PAPERS HELD IN COMMITTEE (CONT'D)**

- 07-O-2513 ( 7)     An Ordinance by Councilmember Ceasar C. Mitchell to amend Ordinance #07-O-2135, adopted October 15, 2007 and approved October 22, 2007, amending Section 10-12 of the City Code, which amendment eliminated the provision allowing persons 18 years of age or older to provide entertainment in any premises licensed for the sale of alcoholic beverages, so as to exempt from said ordinance, those persons currently employed as entertainers with active and valid permits, which will afford such persons a "Grandfathered" status; and for other purposes. **(Held 11/27/07 at the request of the author)**

**HELD**

- 08-O-0190 ( 8)     An Ordinance by Councilmember H. Lamar Willis to amend Chapter 30, Article II of the City Code of Ordinances to reflect new fees for owners of Adult Entertainment establishments which sell alcohol to provide for certain programs for the prevention of sexual assault; and for other purposes. **(Held 1/29/08 at the request of the author)**

**HELD**

- 08-O-0507 ( 9)     An Ordinance by Councilmember Mary Norwood to create a new Section 106-15 of the Code of Ordinances of the City of Atlanta, Georgia, to be entitled "Loitering"; and for other purposes. **(Held 3/11/08 for further review by the Law Department)**

**HELD**

- 08-O-0884 (10)     An Ordinance by Finance/Executive Committee to amend Chapter 10, Article I, Section 10-1 of the Code of Ordinances, City of Atlanta, Georgia, so as to amend the definition of the word "Restaurant" to more closely reflect the definition of the term "Bona Fide Full-Service Restaurant" contained in Chapter Three of the Official Code of Georgia Annotated; to repeal conflicting ordinances; and for other purposes. **(Held 5/27/08 for further review)**

**HELD**

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**PAPERS HELD IN COMMITTEE (CONT'D)**

- 08-O-1147 (11) A **Substitute** Ordinance by Public Safety and Legal Administration Committee to amend the Charter of the City of Atlanta, Georgia, adopted under the authority of the Municipal Home Rule Act of 1965, O.C.G.A. 36-35-1 et seq., as amended, to amend the Charter of the City of Atlanta, Georgia, 1996 Ga. Laws, P. 4469, et seq., by amending Article 4, Courts, Sections 4-106 and 4-109 regarding the appointment of Judges Pro Hac Vice to the Municipal Court of Atlanta; to repeal conflicting ordinances; and for other purposes. **(Referred back from Council on 3<sup>rd</sup> Reading, Final Adoption) (Held 2/24/09)**

**HELD**

- 08-O-1211 (12) An Ordinance by Councilmembers H. L. Willis, C. T. Martin, Ivory L. Young, Jr. and Mary Norwood to create a separate Department/Organization (Dept/Org) to account for the activity of the Citizen Review Board (CRB); to move funds budgeted in the FY 2008 General Fund Budget in the Police Department's Public Affairs Unit for the purposes of the CRB; and for other purposes. **(Held 6/10/08 for further review)**

**HELD**

- 08-O-1252 (13) An Ordinance by Councilmember Howard Shook to amend the Code of Ordinances of the City of Atlanta, Georgia, Chapter 10, Article II, Division 2, Section 10-94(a), to exempt certain properties from the distance requirements of 10-88 for the sale of alcoholic beverages for consumption on the premises; and for other purposes. **(Held 7/1/08 at the request of the Law Department)**

**HELD**

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**PAPERS HELD IN COMMITTEE (CONT'D)**

- 08-O-1289 (14) An Ordinance by Public Safety and Legal Administration Committee to amend Chapter 10, Article II, Division 2, Section 10-61, Entitled "Date for Payment of License Fees; Prorated Fees", to provide for an expiration date for all licenses issued under Division 2 of Chapter 10, Article II of the City of Atlanta Code of Ordinances; to change the date by which all Annual License Fees and Renewal Applications of all Annual Licenses issued under Division 2 of Chapter 10, Article II of the City of Atlanta Code of Ordinances must be submitted; to provide for prorated fees based upon the new deadline; to set forth that the effective date of this amendment shall be January 2, 2009; to repeal conflicting ordinances; and for other purposes. **(Held 7/15/08 at the request of the Law Department)**

**HELD**

- 08-O-1538 (15) An Ordinance by Councilmembers Jim Maddox, Joyce Sheperd, Mary Norwood, Ivory Lee Young, Jr., H. Lamar Willis, Kwanza Hall, C. T. Martin, Natalyn Archibong and Ceasar C. Mitchell to amend the Charter of the City of Atlanta, Georgia pursuant to the authority of the Municipal Home Rule Act of 1965, O.C.G.A. Section 36-35-1 et seq., as that for the next Election of Municipal Court Judges, to be held in 2009, if more than seven (7) Judges elect to continue to serve for an additional four year term, only the seven (7) Judges receiving the highest number of votes shall continue to serve; to waive conflicting ordinances and charter amendments; and for other purposes.

**(Councilmember Hall made a motion to file.)**

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**PAPERS HELD IN COMMITTEE (CONT'D)**

- 08-O-1544 (16) An Ordinance by Councilman C. T. Martin to amend Section 162-78 (a) (3) and (6) (Taxicabs and Vehicles for Hire) of the Code of Ordinances of the City of Atlanta, Georgia so as to eliminate the Annual Fingerprinting Requirement for Taxicab Drivers and to change the Driver's Training Course Requirement from annually to every three years; to waive conflicting ordinances; and for other purposes. **(Referred back by Full Council on 8/18/08) (Held 8/26/08 for further review.)**

**HELD**

- 08-O-1753 (17) An Ordinance by Councilmember Mary Norwood to amend Article XXIV entitled "Vending on Private Property"; and for other purposes. **(Held 9/9/08 for further review.)**

**HELD**

- 08-O-1760 (18) An Ordinance by Councilmembers Jim Maddox, C. T. Martin, Cleta Winslow, H. Lamar Willis, Ceasar Mitchell, Ivory L. Young, Jr., Kwanza Hall and Clair Muller **as substituted by Public Safety and Legal Administration Committee** to amend Chapter 62, Article II, Division 1, of the City of Atlanta Code of Ordinances, to create a new Section 62-27.1 which section shall provide that effective July 1, 2009, the number of Municipal Court Judges shall be eight (8); to waive conflicting ordinances; and for other purposes.  
**(Councilmember Sheperd made a motion to forward with no recommendation on substitute.)**

**FORWARDED WITH NO RECOMMENDATION ON  
SUBSTITUTE (1 ABSTENTION) MARTIN**

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**PAPERS HELD IN COMMITTEE (CONT'D)**

08-O-2436 (19) An Ordinance by Public Safety and Legal Administration Committee to amend Chapter 2, Article XVI, Division 11, Section 2-2211 and Chapter 2, Article XVI, Division 11, Section 2-2212 to provide for the disclosure of public police and corrections documents to the Citizen Review Board; to amend Chapter 98, Article II, Section 98-26(b)(3) and Chapter 98, Article IV, Section 98-153(b)(3) to require the Chiefs of Police and Corrections to appear before the Citizen Review Board upon request and set forth the reasons for delays in internal investigations into their employees' conduct; and for the other purposes. **(Held 1/13/09) (Held 4/28/08 for a work session)**

**HELD**

09-O-0389 (20) An Ordinance by Public Safety and Legal Administration Committee to amend Section 10-75 (5) of the Code of Ordinances of the City of Atlanta, Georgia ("The Alcoholic Beverage Code") so as to correct a Code Section reference error contained therein; to waive conflicting ordinances; and for other purposes. **(Held 3/10/09 for further review)**

**HELD**

09-R-0621 (21) Claim of **Tremayne McReynolds**, for damages alleged to have been sustained as a result of a trip and fall incident in an uncovered water meter on July 15, 2008 at 277 Pharr Road, NE. **(Referred back by Council 4/20/09) (Held 4/28/09 for further review)**

**HELD**

09-R-0722 (22) Claim of **Tracy Dummett**, for damages alleged to have been sustained from a police shooting incident on October 16, 2008 at 1500 Langston Avenue. **(Held 4/28/09 at the request of Councilmember Sheperd for further review by the Law Department.)**

**HELD**

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**PAPERS HELD IN COMMITTEE (CONT'D)**

- 09-R-1030 (23) Claim of **Fred McFarlin**, for damages alleged to have been sustained when a door was broken by firemen on February 9, 2009 at 1865 Wellborne Drive, NE. **(Held 6/9/09 at request of Councilmember Fauver.)**

**HELD**

- 09-O-1045 (24) An **Substitute** Ordinance by Public Safety and Legal Administration Committee to amend the Code of Ordinances of the City of Atlanta, Georgia, Chapter 162, Article II, Section 162-77 (6) so as to specifically allow companies and third parties approved by the Bureau, to administer the examination which all new applicants for driver permits must pass in order to secure their initial permits; and for other purposes.  
**(Councilmember Martin made a motion to approve on substitute on condition.)**

**FAVORABLE ON SUBSTITUTE ON CONDITION**

- 09-O-1069 (25) An Ordinance by Councilmember C. T. Martin to amend Section 162-260 (a), (Entitled "Fees Charged by Vehicle Immobilization Service") of the Code of Ordinances of the City of Atlanta, Georgia, so as to increase the allowable fee charged by Vehicle Immobilization Services, to the owner of any immobilized vehicle or personal property, from \$50.00 per day to \$75.00 per day; to waive conflicting ordinances; and for other purposes. **(Public Hearing held 7/14/09)  
(Held 7/14/09 for NPU notification process)**

**HELD**

- 09-O-1178 (26) An Ordinance by Public Safety and Legal Administration Committee to amend the Code of Ordinances of the City of Atlanta, Georgia, Chapter 162, Article II, Division 1, Section 162-36 to require that the dome lights, with which the roofs of all taxicabs must currently be affixed, be wired in such a way as to minimize the possibility of injury for the purpose of protecting the safety of taxicab drivers and passengers; and for other purposes. **(Held 7/14/09 for further discussions.)**

**HELD**

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**PAPERS HELD IN COMMITTEE (CONT'D)**

- 09-O-1179 (27) An Ordinance by Public Safety and Legal Administration Committee to amend the Code of Ordinances of the City of Atlanta, Georgia, Chapter 162, Vehicles for Hire, to provide for a definition of taxicab safety equipment; to require signage on applicable taxicabs alerting passengers to the presence of a Digital Security Camera System; to require the installation of taxicab safety equipment in all taxicabs; to authorize the Chief of Police or his/her designee to establish, issue and revise rules, procedures and regulations to govern the specifications, installation and maintenance of the taxicab safety equipment, and to provide for enforcement of rules, procedures and regulations for the purpose of protecting the safety of taxicab drivers and passengers; and for other purposes. **(Held 7/14/09 for further discussions.)**

**HELD**

- 09-R-1348 (28) A Resolution by Public Safety and Legal Administration Committee authorizing the Mayor or her designee to accept on behalf of the Atlanta City Department of Corrections (ACDC) Compensation in an amount not to exceed \$20.00 per dosage for the administration of Tuberculosis Testing to the employees of vendors assigned to the ACDC; and for other purposes.  
**(Councilmember Hall made a motion to approve.)**

**FAVORABLE**

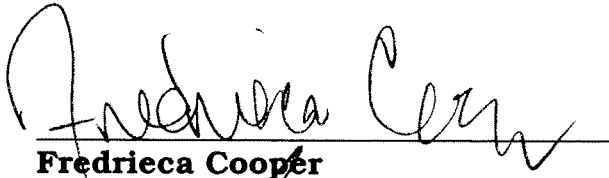
**I. REQUESTED ITEMS**

1. Councilmember Sheperd made a request for a work session on liquor licensing.
2. Councilmember Sheperd made a request for the Police Department to come back in September for an update on the Auditor's Recommendations regarding the Patrol Officer Availability Audit.
3. Councilmember Martin made a request to Malachi Hull for a copy of written complaints, the inspection checklist, and the paper work where affixed dome light wiring has been a problem.

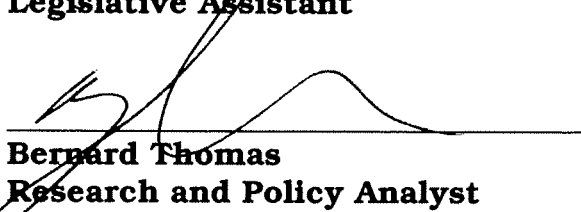
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**There being no further business to come before the Committee, the meeting was adjourned at 5:19 p.m.**

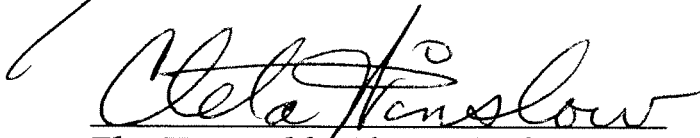
**Respectfully Submitted:**



**Fredrica Cooper**  
**Legislative Assistant**



**Bernard Thomas**  
**Research and Policy Analyst**



**The Honorable Cleta Winslow, Chair**  
**Public Safety and Legal Administration Committee**